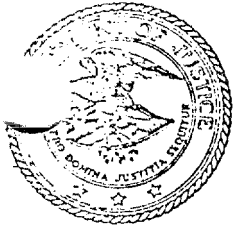


10 May 79



Office of the Attorney General
Washington, D. C. 20530

TAB 5-A

May 10, 1979

MEMORANDUM TO: Secretary of State
Attn: Jeffrey Smith

Secretary of Defense
Attn: Deanne Siemer

Assistant to the President for
National Security Affairs
Attn: Sam Hoskinson

Director of Central Intelligence
Attn:

25X1

FROM: Frederick D. Baron
Special Assistant to the
Attorney General

FDB

RE: SCC Counterintelligence Approval Standard

Attached is an outline of issues for SCC decision on a recommendation to the President for a standard for SCC approval of counterintelligence activities under Section 1-304(e) of Executive Order 12036. This paper was developed in coordination with the CIA.

Attachment

cc: Jim Nolan
Federal Bureau of Investigation



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12 May 1979

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Sam Hoskinson
National Security Council

TAB 5-B


25X1


Central Intelligence Agency

Issues paper for 16 May SCC Meeting Concerning
Standards for Sensitive Collection Operations

1. Enclosed, as I promised you, is our Issues
Paper regarding sensitive collection operations.

5-BX1


2. You have previously received from Justice a
revision of the Issues Paper concerning standards
for Counterintelligence activities. It is our
position the issues relating to standards for
these activities and for sensitive collection
operations must be considered at the same time by
the SCC, and not be treated at two separate
meetings. That approach could result in marked
inconsistency in the two standards and was rejected
for that very reason by the SCC last November.
Consequently, both standards should be on the
agenda for the 16 May meeting or neither should .

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B. Issues

1. There appears to be no dispute as to the following general principles:

(i) The DCI should be vested with some level of discretion as to which operations should be reported.

(ii) Required reports should be furnished by the DCI to the SCC chairman.

(iii) Entity heads must make the initial determination as to sensitivity and be responsible for selecting certain operations for reporting to the DCI.

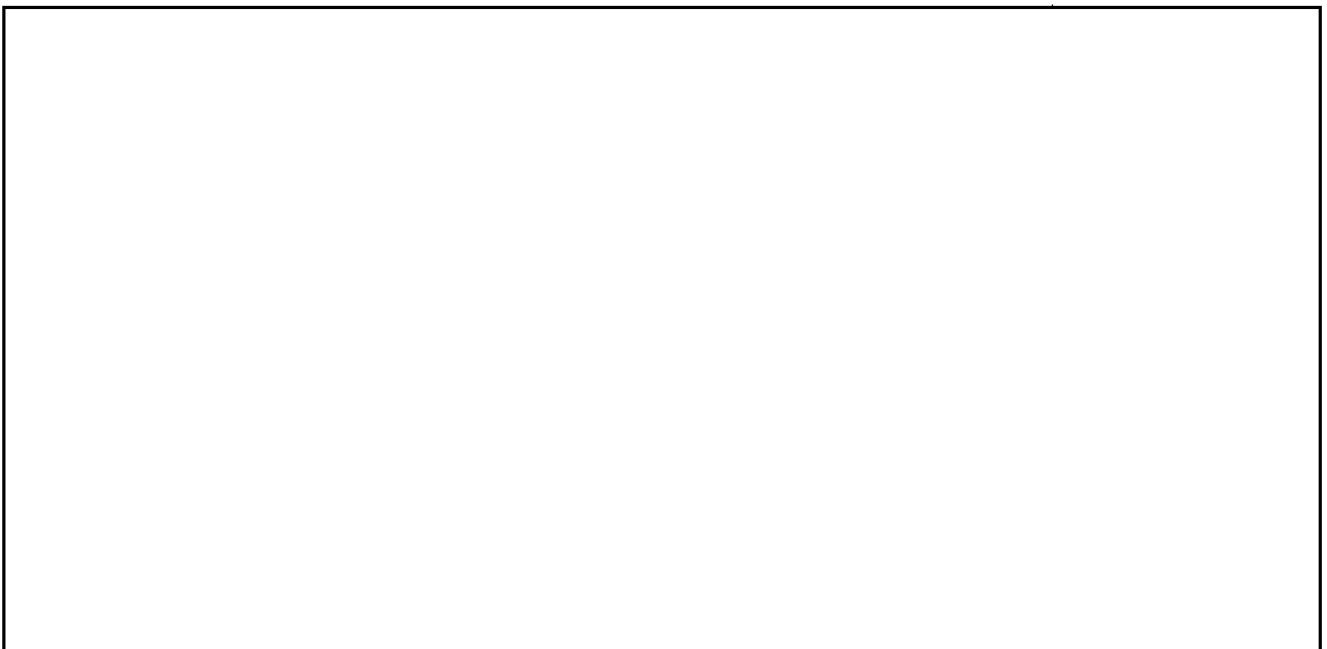
(iv) Operations commenced without a report to the SCC Chairman should be reported if they become sensitive before terminating;

(v) There should be some provision allowing DCI reporting by categories of operations, provided further information is obtainable as to any operations or category.

(vi) There should be some form of SCC annual review.

2. The issues in dispute and the options appear to include:

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